

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) No. 07 CR 50058-5
) Judge Philip G. Reinhard
MARK O. COOPER)

UNITED STATES' MOTION TO COMPEL DEFENDANT TO SUBMIT PALM PRINTS

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, moves this court to enter an order requiring defendant Mark O. Cooper to provide palm prints suitable for comparison purposes to an agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”). In support of this motion, the United States states:

1. Defendant Mark O. Cooper has been charged in a multi-count indictment with one count of conspiracy to commit robberies affecting interstate commerce and one count of robbery affecting interstate commerce, both in violation of Title 18, United States Code, Section 1951(a), and one count of using a firearm during and in relation to a crime of violence, in violation of Title 18, United States Code, Section 924(c)(1)(A). The count in the indictment alleging robbery affecting interstate commerce stems from the robbery of the Soto’s Jewelry Store located at 1126 South Main Street in Rockford, Illinois on August 2, 2007.

2. The undersigned Assistant United States Attorney (“AUSA”) has been informed by the ATF and the Rockford Police Department that while processing the scene of the robbery at the Soto’s Jewelry Store on August 2, 2007, identification detectives recovered two latent palm prints from the top of the glass jewelry counter in the store, both of which are suitable for comparison

purposes. According to the victims of the robbery, two of the three robbers who entered the store on August 2, 2007, jumped over the top of the glass jewelry counter.

3. If either of the latent palm prints can be matched to defendant Cooper through scientific analyses, this will provide evidence of defendant Cooper's presence at the scene of the robbery on August 2, 2007.

4. In order to perform scientific analyses of these latent palm prints, the ATF must obtain palm prints suitable for comparison from defendant Cooper. These palm prints will be compared to the latent palm prints recovered from the Soto's Jewelry Store on August 2, 2007.

5. The United States has requested that defendant Cooper consent to giving palm prints for comparison purposes, but defendant Cooper has refused.

WHEREFORE, the United States respectfully requests this Court enter an order requiring defendant Mark O. Cooper to provide palm prints suitable for comparison purposes to an agent of the ATF.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: _____ /s
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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

United States' Motion To Compel Defendant To Submit Palm Prints

was served pursuant to the district court's ECF system as to ECF filers on June 3, 2008.

/s

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